



Entered on Docket
November 17, 2010

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES
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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Jeffrey Pascua Abad and Grace Cabico Abad

Debtors.

BK-S-08-24208-bam

MS Motion No. 73

Date: November 16, 2010

Time: 1:30 p.m.

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the
2 post-petition arrearages currently due as follows:

3	3 Monthly Payments at \$2,274.40	\$6,823.20
4	(August 1, 2010 - October 1, 2010)	
5	3 Late Charges at \$97.51	\$292.53
6	(August 1, 2010 - October 1, 2010)	
7	Motion for Relief Filing Fee	\$150.00
8	Attorneys Fees	\$650.00
9	Total	\$7,915.73

10 The total arrearage shall be paid in six monthly installments. Payments one
11 through five (1-5) in the amount of \$1,319.29 shall be in addition to the regular monthly payment
12 and shall be due on or before the 20th day of the month commencing with the November 20,
13 2010 payment and continuing throughout and concluding on or before March 20, 2010. The sixth
14 final payment in the amount of \$1,319.28 shall be paid on or before April 20, 2010.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
16 shall give Debtors at least fourteen business days' notice of the time, place and date of sale.

17 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume
18 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
19 beginning with the November 1, 2010, payment, on Secured Creditor's Trust obligation,
20 encumbering the subject Property, generally described as 5129 Ruby Sunset St. , North Las Vegas,
21 NV 89081, and legally described as follows:

22 Lot 56, of R AND S ALEXANDER II, as shown by Map thereof on File in Book 127 of
23 Plats, Page 41, in the Office of the County Recorder of Clark County, Nevada.

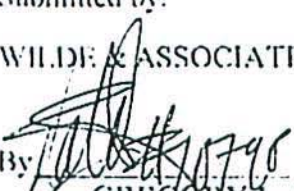
24 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make
25 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
26 Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file
and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth
(16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this
Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may

thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By



GREGORY L. WILDE, ESQ.

Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:


Kathleen A Leavitt

By

 11/8/10
Kathleen A Leavitt
Chapter 13 Trustee
201 Las Vegas Blvd., So. #200
Las Vegas, NV 89101

Philip K. Goldstein

By


Philip K. Goldstein
Attorney for Debtors
609 S. 7th Street
Las Vegas, NV 89101

Nevada Bar No. 4275

1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
2 reflects the court's ruling and that (check one):

3 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

4 ☐ No party appeared at the hearing or filed an objection to the motion.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
6 any unrepresented parties who appeared at the hearing, and each has approved or
7 disapproved the order, or failed to respond, as indicated below [list each property and
8 whether the party has approved, disapproved, or failed to respond to the document]:

9 ☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
11 order.

12 Debtor's counsel:

13 ☒ approved the form of this order ☐ disapproved the form of this order

14 ☐ waived the right to review the order and/or ☐ failed to respond to the document

15 ☐ appeared at the hearing, waived the right to review the order

16 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

17 Trustee:

18 ☒ approved the form of this order ☐ disapproved the form of this order

19 ☐ waived the right to review the order and/or ☐ failed to respond to the document

20 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
21 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
22 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
23 respond, as indicated below.

24 Debtor's counsel:

25 ☐ approved the form of this order ☐ disapproved the form of this order

26 ☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor